

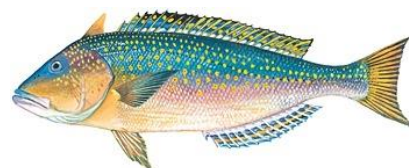
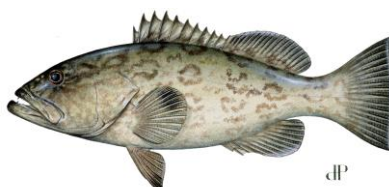


Frequently Asked Questions for the Gulf of Mexico Red Snapper and Grouper-Tilefish Individual Fishing Quota (IFQ) Programs

May 2013

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FREQUENTLY ASKED QUESTIONS FOR ACTIVE IFQ PARTICIPANTS

IFQ SPECIES AND FLEXIBILITY MEASURES

WHAT SPECIES ARE INCLUDED IN EACH SHARE CATEGORY OF THE IFQ PROGRAM?

IFQ SHARE CATEGORY	SPECIES
DEEP-WATER GROUPER (DWG)	SNOWY GROUPER
	SPECKLED HIND
	WARSAW GROUPER
	YELLOWEDGE GROUPER
GAG	GAG
OTHER SHALLOW-WATER GROUPER (OSWG)	BLACK GROUPER
	SCAMP
	YELLOWFIN GROUPER
	YELLOWMOUTH GROUPER
RED GROUPER	RED GROUPER
RED SNAPPER	RED SNAPPER
TILEFISH	BLUELINE (GREY) TILEFISH
	GOLDEN TILEFISH
	GOLDFACE TILEFISH

- The following species were part of the IFQ program from 2010-2011, but were removed in 2012:
 - Misty grouper from the deep-water grouper share category
 - Red hind and rock hind from the other shallow-water grouper share category
 - Anchor and blackline tilefish from the tilefish share category

CAN SOME SPECIES BE LANDED USING MORE THAN ONE SHARE CATEGORY?

- Yes, the Grouper-Tilefish IFQ program has several built-in flexibility measures to reduce discards.
- Deep-water grouper and other shallow-water grouper flexibility measures:
 - The primary share category for landing warsaw grouper and speckled hind is deep-water grouper. However, when all of a fisher's deep-water grouper allocation has been used, their vessel may land warsaw and speckled hind with shallow-water grouper allocation. A fisher's allocation includes allocation in the shareholder account and all associated vessel accounts.
 - The primary share category for landing scamp is shallow-water grouper. However, when all of a fisher's shallow-water grouper allocation has been used, their vessel may land scamp with deep-water grouper allocation. A fisher's allocation includes allocation in the shareholder account and all associated vessel accounts.
- Gag and red grouper multi-use flexibility measures:
 - A portion of the gag or red grouper allocation is reserved whenever quota is released for multi-use allocation which can be used to land either gag or red grouper. This percentage may change each year.
 - Multi-use allocation cannot be used until the fisher has landed or sold all of the species-specific allocation in their shareholder account and all associated vessel accounts. For example, gag may not be landed under gag-multiuse or red-multiuse allocation, unless there is no gag allocation available.
 - A fisher's allocation includes allocation in the shareholder account and all associated vessel accounts.
 - Please see the IFQ website for current multi-use percentages.

DOES THE IFQ PROGRAM HAVE A LANDING OVERAGE PROVISION FOR IFQ SHAREHOLDERS?

- Yes, IFQ shareholders can land 10% over their remaining allocation on the last fishing trip of the year. Any overage will be subtracted from the shareholder's allocation at the start of the next fishing year.
- For example, if 100 pounds of red snapper are in an IFQ vessel's account on the last fishing trip of the year, the shareholder may land 110 pounds of red snapper. However, 10 pounds will be subtracted from the shareholder's allocation on January 1, the following year.
- Because overages need to be subtracted from the shareholder's allocation at the start of the following year, share transfers will not be allowed that would reduce the shareholder's IFQ shares lower than the amount needed to pay back the overage.
- Only IFQ fishers who hold shares are allowed to land in excess of their remaining allocation, and only for categories which they hold shares.

SHARE AND ALLOCATION TRANSFERABILITY

WHO IS ELIGIBLE TO BUY IFQ SHARES OR ALLOCATION?

- For the first five years of each program, anyone who owns a valid or renewable commercial Gulf of Mexico reef fish permit and an active IFQ shareholder account is eligible to receive IFQ shares and allocation from current IFQ shareholders. After January 1, 2012, all U.S. citizens and permanent resident aliens with an IFQ shareholder account are eligible to receive red snapper IFQ shares and allocation.
- After January 1, 2015, all U.S. citizens and permanent resident aliens with an IFQ shareholder account will be eligible to purchase grouper and tilefish IFQ shares and allocation.

CAN MULTI-USE ALLOCATION BE SOLD?

- Multi-use allocation may only be transferred after landing or selling all the corresponding species-specific allocation related to their shareholder account (e.g. in shareholder and associated vessel accounts).
 - For example, a fisherman can only sell his gag multi-use allocation if he has used all of his gag allocation in his shareholder and vessel accounts.
- The restrictions on the sale of multi-use allocation ensure a fisherman has allocation to use if either gag or red grouper are landed as bycatch.

HOW ARE SHARES AND ALLOCATION TRANSFERRED?

- All transfers take place online via the IFQ Web site (see Troubleshooting guide for details).
- For share transfers, approval is required from both the transferor and transferee.
- For allocation transfers, approval is only required from the transferor.
- Transfer of shares and associated allocation are independent. To transfer both shares and allocation, the transferor must complete both a share transfer and an allocation transfer.
- An individual who has been sanctioned will not be permitted to transfer shares or allocation.

LANDING LOCATIONS AND NOTIFICATIONS

WHAT ARE THE LANDING AND OFFLOADING TIME REQUIREMENTS?

- A vessel can land IFQ species anytime during the day and night, provided that a landing notification has been given between 3 to 12 hours prior to landing.
- Offloading is restricted to the hours of 6 a.m. to 6 p.m.
- Fishers only need to notify law enforcement in advance of landing, not offloading.

Please Note: *For the purposes of these regulations, the term “landing” means to arrive at a dock, berth, beach, seawall, or ramp. “Offloading” is the removal of IFQ managed species from a vessel.*

WHY MUST PRE-APPROVED LANDING LOCATIONS BE USED?

- Approving landing locations in advance ensures the sites actually exist and law enforcement agents can access these sites. Landing locations must be publicly accessible by land and water.
- Proposed landing locations can be submitted via the IFQ Web site or by calling IFQ Customer Service 1-866-425-7627 during normal business hours (8:00 a.m. to 4:30 p.m.).
- New landing locations will be approved only at the end of each calendar-year quarter. To have a landing location approved by the end of the calendar-year quarter, it must be submitted at least 45 days before the end of the calendar-year quarter.

HOW AND WHY IS A LANDING NOTIFICATION REPORTED?

- The landing notification requirement is intended to provide law enforcement officers the opportunity to be present at the point of landing so they can monitor and enforce IFQ requirements dockside.
- Landing notifications can be made by using the form on the vessel monitoring system (VMS) screen, by calling 1-866-425-7627, or by logging into their online IFQ account.

Please note: Updates to the landing notification screen on VMS units are constrained by programming requirements. Therefore, approved landing locations may not appear on the VMS screen until the next update to the VMS system. All approved landing locations are available when making a notification by phone or online.

WHAT INFORMATION MUST BE PROVIDED ON THE IFQ LANDING NOTIFICATION?

- IFQ participants must report a landing notification at least 3 hours, but no more than 12 hours, prior to any landing. Information required for a landing notification includes (but may not be limited to):
 - Vessel identification
 - Approved landing location
 - Dealer's business name
 - Time of arrival
 - Estimated pounds to be landed in each share category

Please Note: The confirmation code does not automatically give the fisherman permission to land the vessel. It simply provides the National Marine Fisheries Service (NMFS) a confirmation that a landing notification was made. The fisherman is responsible for ensuring all regulations are satisfied (i.e., waiting 3 hours before landing, etc).

WILL MULTIPLE LANDING NOTIFICATIONS BE NEEDED IF LANDING AT MORE THAN ONE LOCATION?

- Yes, if for a vessel containing IFQ managed species which intends to land at more than one location, separate landing notifications must be made for each landing location. The required 3-12 hour notification applies to both notifications and may be submitted sequentially.

WILL SEPARATE LANDING NOTIFICATIONS BE NEEDED IF THE DEALER HAS BEEN CHANGED BUT NOT THE LANDING LOCATION?

- Yes, a new landing notification must be submitted for any changes in dealer. However, an additional 3 hours wait is not required, since the landing location has not changed.

LANDING TRANSACTIONS

HOW ARE LANDING TRANSACTIONS COMPLETED?

- The dealer enters the pounds (gutted) and actual ex-vessel value of landed fish of each species, along with other information.
 - *Actual ex-vessel value* means the price paid per pound of fish before any deductions are made for

transferred (leased) allocation and goods and services (e.g., bait, ice, fuel, repairs, machinery replacement, etc.).

- The fisherman validates the dealer transaction report by entering the unique Personal Identification Number (PIN) for the vessel account.
- After the dealer submits the report and NMFS verifies the information, the online system sends a transaction approval code to the dealer and the allocation holder. This approval code is necessary to verify the transaction is legal and the vessel account has the correct amount of grouper and tilefish allocation before the fish are transported.
- If a discrepancy regarding the landing transaction is discovered after approval, the dealer or vessel account holder (or his or her authorized agent) can initiate a landing transaction correction form.

HOW DO I DETERMINE THE EX-VESSEL VALUE OF MY IFQ FISH?

- *Actual ex-vessel value* means the price paid per pound of fish before any deductions are made for transferred (leased) allocation and goods and services (e.g., bait, ice, fuel, repairs, machinery replacement, etc.).
- This allows NMFS to more accurately analyze the total value of the Gulf red snapper and grouper/tilefish component of the reef fish fishery.

HOW ARE OVERAGES ADDRESSED?

- In the event a fisherman thinks they have harvested an amount of IFQ species that exceeds the existing allocation in the vessel account, additional allocation should be transferred into the vessel account before placing a landing notification.
- A person on board a vessel landing the shareholder's only remaining allocation from a share category can legally exceed, by up to 10%, the amount of the allocation remaining on that last fishing trip of the fishing year. *See IFQ SPECIES AND FLEXIBILITY MEASURES Section for more information.*

WHEN CAN IFQ SPECIES BE TRANSPORTED ON LAND?

- A landing transaction with a dealer must be completed and the transporter must have the approval code and a copy of the IFQ dealer endorsement before the IFQ species can be transported on land by the fisherman or dealer.

ARE COST RECOVERY FEES COLLECTED FOR THE IFQ PROGRAM?

- IFQ fishermen are charged a cost recovery fee to recover a portion of the costs required to administer, manage, and enforce the IFQ programs.
- The current cost recovery fee is 3% of the ex-vessel value of the landed fish and will be re-evaluated each year.
- IFQ dealers are responsible for collecting the cost recovery fee from the shareholder at the time of each sales transaction and submitting fees to NMFS on a quarterly basis through the IFQ program using the pay.gov website.

IFQ ACCOUNTS AND GULF REEF FISH PERMITS

HOW IS A GULF REEF FISH PERMIT RELATED TO MY IFQ ACCOUNT?

- An IFQ account must be related to a Gulf Reef Fish Permit in order to harvest IFQ species. The same names must be on both the IFQ account and Gulf Reef Fish Permit. Any change of names on a permit (e.g. adding or removing a spouse or partner) will separate the permit from the IFQ account. A new IFQ account must then be established based on the names on the permit.

WHEN THE PERMIT HOLDER'S NAME(S) CHANGE, HOW DOES THIS AFFECT MY IFQ ACCOUNT?

- If the permit holders have changed, the permit is no longer related to your IFQ account. You must call IFQ Customer Support (866-425-7627, option 2; 8 a.m. and 4:30 p.m. Monday through Friday) to establish a new IFQ account that will match the name(s) on the permit. All permit holders must establish proof of U.S. citizenship through either their permit application or the IFQ online account application.
- Please allow adequate time to establish an IFQ account, as it may take a few days for the new account's sign-on and password to be mailed to you.

IF MY PERMIT IS TRANSFERRED TO ANOTHER VESSEL, HOW DOES THIS AFFECT MY IFQ ACCOUNT?

- Any vessel without an associated permit needs to transfer the allocation back to the shareholder account. Vessels without an associated permit are inactive and cannot be used to harvest IFQ species.
- If the vessel was not previously in the IFQ system, you will need to create a vessel account through your shareholder account. Before a vessel can be associated with an IFQ account the relationship between the permit, vessel and IFQ account must be established. See the Trouble-shooting Guide for detailed information on how to create a vessel account.
- If the vessel was previously in the IFQ system, the vessel account must be manually moved between IFQ accounts by IFQ IT staff. Before a vessel account can be transferred to a different IFQ account, all allocation in that vessel account must be transferred back to its shareholder account. You may contact IFQ Customer Support to begin the process. As this process is dependent upon the previous owner's transfer of allocation from the vessel account to the shareholder account this may take several days to complete.

CHANGING OWNERSHIP OF AN IFQ ACCOUNT

I AM SELLING MY BUSINESS, WHAT HAPPENS TO THE IFQ ACCOUNT?

- Selling the business but retaining the shares and allocation:
 - The shareholder must transfer the shares/allocation to an existing account or create a new account for the shares and allocation. Note, that Grouper-Tilefish shares and allocation can only be transferred to an IFQ account with an associated permit.
- Selling the business with the shares and allocation:
 - The IFQ account holder must provide the new owner with the IFQ UserID and PIN. The new owner now controls the IFQ account.

HOW DOES SOMEONE HANDLE AN ACCOUNT FOR A DECEASED SHAREHOLDER?

- If the account has multiple shareholders and the surviving shareholder(s) has the UserID and PIN – the surviving shareholder(s) can access the account.
- If the personal representative/executor/administrator of the deceased shareholder's estate seeks access to the shareholder's account, the personal representative/executor/administrator must provide the following to the Southeast Regional Office IFQ Support Team: (1) a copy of the court order appointing the personal representative/executor/administrator; and (2) a notarized statement requesting access to the shareholder's account.
- If you have questions about a deceased shareholder's account, call IFQ Customer Service at 1-866-425-7627 and select option 2 during normal business hours (8:00 a.m. to 4:30 p.m.)
- If the shareholder(s) has a commercial Gulf of Mexico reef fish permit, contact the Permit Office at 727-824-5326 for instructions on how to transfer a reef fish permit.

IFQ ENDORSEMENTS

ARE DEALERS REQUIRED TO HAVE AN IFQ ENDORSEMENT?

- Yes, dealers may access and print their IFQ endorsement in their online account. Endorsements are valid when a dealer's Reef Fish permit is active and they do not have any outstanding Cost Recovery Fees. A copy of the IFQ dealer endorsement must accompany vehicles used to transport IFQ species on land.

MISCELLANEOUS QUESTIONS

HOW DO I GET ANSWERS TO GENERAL QUESTIONS ABOUT THE IFQ PROGRAMS?

- If you have a customer service inquiry, please call 1-866-425-7627 and follow the prompts for IFQ customer support. Customer service calls will be answered from 8:00 a.m. to 4:30 p.m. Eastern time, Monday to Friday, excluding federal holidays. Any message left after hours, on weekends, or holidays will be addressed during normal working hours. *Please do not leave a landing notification on the voice mail.*
- You may also search for answers in the Trouble-shooting Guide which is located on the website, under Additional Documents. This has screen shots and step-by-step instructions for many of the online actions.

WHEN DOES END OF YEAR MAINTENANCE OCCUR AND WHAT DOES IT AFFECT?

- The maintenance window is from 6 p.m. December 31 to 2 p.m. on January 1.
- No landing transactions, share transfers, or allocation transfers may be completed during the maintenance window.
- IFQ participants may still submit an advanced notice of landing via phone or through their vessel monitoring system during the maintenance window, *but the landings will be deducted from the next year's allocation.*

FREQUENTLY ASKED QUESTIONS ABOUT THE IFQ PROGRAM

SYSTEM REQUIREMENTS AND ACCOUNT INFORMATION

WHAT ARE THE ELECTRONIC REQUIREMENTS FOR THE IFQ PROGRAM?

- The administrative functions associated with this IFQ program, such as account setup, landing transactions, and transfers are designed to be accomplished online; therefore, all participants need access to a computer and the Internet to participate.
- The Web site can be found out ifq.sero.nmfs.noaa.gov/ifqgt.

WHAT TYPE OF ACCOUNT DOES A PARTICIPANT NEED?

- Eligible reef fish dealers need an IFQ dealer account, which allows them to obtain a free IFQ dealer endorsement and to complete landing transactions.
- Reef fish permit holders or non-permitted entities that have completed an IFQ online account application need an IFQ shareholder account, which is used to manage shares and allocation.
- Within a shareholder's account, a vessel account is needed for each permitted vessel used to fish for and land IFQ species. Vessel accounts can be created through the shareholder account (see Trouble-shooting guide for more details).
 - The purpose of the vessel account is to hold allocation required to land IFQ species. Before a landing notification for the vessel is submitted, the vessel account associated with that vessel will need to have enough allocation in the appropriate share categories for the fish on board.
 - Vessel accounts can only hold allocation for use in landing and selling catch of IFQ species. Vessel accounts cannot hold shares. Allocation can be transferred **into** a vessel account from any IFQ shareholder account. However, allocation can only be transferred **out of** a vessel account by the shareholder account for which it is associated.

HOW CAN I LEARN MORE ABOUT THE GULF OF MEXICO IFQ PROGRAM REQUIREMENTS?

- The final rule implementing the IFQ program describes the complete list of program requirements, go to the website below and select Code of Federal Regulations (CFR). Select Title 50, Volume 12, and Part 622.21 (Red Snapper IFQ Program) or Part 622.22 (Grouper-Tilefish IFQ Program)
http://sero.nmfs.noaa.gov/sustainable_fisheries/policy_branch/index.html
- Amendment 26 to the Gulf Council's Reef Fish Fishery Management Plan is available to download at:
http://sero.nmfs.noaa.gov/sf/pdfs/Amend_26_031606_FINAL.pdf
- Amendment 29 to the Gulf Council's Reef Fish Fishery Management Plan is available to download at:
<http://sero.nmfs.noaa.gov/sf/pdfs/Final%20Reef%20Fish%20Amdt%2029-Rev052709.pdf>
- For additional information or specific questions about the IFQ program, please call the Southeast Regional Office's Sustainable Fisheries Division at 1-727-824-5305.

ELIGIBILITY REQUIREMENTS FOR AN IFQ ACCOUNT

WHO IS ELIGIBLE TO PARTICIPATE IN THE IFQ PROGRAM?

- In order to participate in the individual fishing quota programs (red snapper or grouper-tilefish), participants must have an active online account. Information required on the application will include:
 - Contact information (name, address, phone number)
 - Certification that the entity is a U.S. citizen or permanent resident alien
 - Tax identification number

- The online account application will be offered at no charge and all shareholder accounts will be required to update the application every 2 years in order to maintain an active online account.
 - Anyone who holds an active IFQ shareholder account is eligible to purchase red snapper shares and allocation.
 - Anyone who holds an active IFQ shareholder account and valid federal commercial Reef Fish permit is eligible to purchase grouper-tilefish shares and allocation.
 - ***Only participants with shareholder accounts, allocation, and a commercial reef fish permit are allowed to harvest and sell IFQ managed species.***
- Anyone who possesses a valid commercial Gulf of Mexico reef fish dealer permit and active IFQ dealer account is eligible to participate in the IFQ program as a dealer.
- On January 1, 2015, after the first five years of the Grouper-Tilefish IFQ Program, all U.S. citizens and permanent resident aliens will be eligible to purchase *grouper-tilefish* IFQ shares and allocation.

WHY IS THE ONLINE ACCOUNT APPLICATION NECESSARY?

- The online account application is necessary to collect information from the non-permitted U.S. citizens and permanent resident aliens who are trying to establish IFQ accounts.
- It is also necessary to collect citizenship information from current participants, as this information was not previously collected on permit applications, as well as to maintain up-to date contact information for participants.

CAN A NON-PERMITTED PARTICIPANT PURCHASE SHARES AND ALLOCATION?

- Currently, non-permitted shareholder accounts are eligible to purchase only red snapper shares and allocation (i.e. pounds). They will not be eligible to purchase Grouper-Tilefish IFQ Program shares and allocation until January 1, 2015.
- Shares held by an entity may not exceed the share cap specified for each share category.

WILL A NON-PERMITTED PARTICIPANT BE ABLE TO HARVEST AND SELL COMMERCIAL RED SNAPPER?

- No, only shareholders with a valid commercial reef fish permit and sufficient allocation in their IFQ vessel account are allowed to harvest and sell commercial red snapper.

HOW CAN A FISHERMAN OR DEALER SET UP AN ACCOUNT?

- For Shareholder accounts, you may download the IFQ Online Account Application from the website, or contact IFQ Support either by e-mail or phone to request an IFQ Online Account Application.
- Dealers are not required to complete an IFQ Online Account Application, but need to contact IFQ Support in order to create an account.
- After the new user account is created by IFQ Support, a package will be mailed to the new user with information for setting up the account. The package includes information for accessing the online IFQ system, how to go fishing on an IFQ trip, a fact sheet, a copy of the regulations, a troubleshooting guide for using the online system, and a letter containing the UserID.
- The PIN for their IFQ account will be sent in a separate letter.
- Because the information must be mailed to the new account holder, it may be a few days before the account may be accessed by the participant.
- Assistance with online functions is available from IFQ Customer Service, 1-866-425-7627, Monday through Friday between 8:00 a.m. and 4:30 p.m. Eastern time.

ALLOCATION AND SHARES

HOW DO I CALCULATE MY ALLOCATION (POUNDS) FROM MY SHARE PERCENTAGES?

- Convert the amount of shares you hold from a percentage to a number, by dividing the percentage by 100.
 - **Example:**
 - Amount of Shares Expressed as a Percentage: 1%
 - Divide 1 by 100.
 - $1/100 = 0.01$
 - Amount of Shares Expressed as a Number: 0.01
 - Multiply the commercial quota (gutted weight) for the share category you are converting, by the amount of shares you hold in that category.
 - **Example for calculating Red Grouper Allocation:**
 - The commercial quota for 2012 is 5,370,000 pounds gutted weight.
 - Amount of Shares: 0.01
 - Commercial Quota: 5,370,000 pounds gutted weight
 - $5,370,000 \times 0.01 = 53,700$ pounds gutted weight
 - Therefore, the 2012 IFQ allocation for 1% shares is 53,700 pounds gutted weight.

HOW WILL ADJUSTMENTS IN ALLOCATIONS OR SHARES BE DISTRIBUTED?

- Adjustments in quota can occur if the status of a stock changes as a result of new assessments, or if allowable landings are reallocated between the commercial and recreational fishing sectors.
- Adjustments in a quota will be distributed proportionately among eligible IFQ shareholders based on the percentage of shares each holds at the time of the adjustment. Allocation will be distributed to the current holder of the shares.
- If an IFQ shareholder's commercial reef fish vessel permit has been permanently revoked, at the beginning of the next fishing year the Regional Administrator (RA) for NMFS will redistribute the shares held by that shareholder proportionately among remaining eligible shareholders based upon the amount of shares each held just prior to the redistribution. Shareholders already at the share cap will receive no additional shares.

HOW IS SHARE MONOPOLIZATION PREVENTED IN THE IFQ PROGRAMS?

- The Magnuson-Stevens Act requires fishery managers to ensure any entity does not acquire an excessive share of the total allowable catch of an IFQ fishery.
- Share caps are defined as the maximum IFQ share issued to a person, corporation, or other entity.
- The intent of the IFQ Share Cap is to prevent one or more entities from purchasing an excessive amount of IFQ shares and monopolizing the fishery.
- An allocation cap limits the amount of allocation that can be purchased or held by a person or corporation cumulatively during a given calendar year.
- The allocation cap for the Grouper-Tilefish IFQ Program equals the total amount of pounds that corresponds to all share caps combined. There is no allocation cap for the Red Snapper IFQ Program.
- Share caps have been established for each share category:

Share Category	Share Cap
Deep-water grouper	14.704321%
Gag	2.349938%
Other shallow-water grouper	7.266147%
Red grouper	4.331882%
Red snapper	6.0203%
Tilefish	12.212356%

WHAT IS THE HISTORICAL MULTI-USE ALLOCATION FOR GAG AND RED GROUPER?

Percentage of Multi-Use Allocation		
Year	Gag	Red Grouper
2010	8%	4%
2011	8%	0%
2012	8%	0%
2013	70%	0%

APPORTIONMENT OF INITIAL IFQ SHARES

WHO WAS ELIGIBLE FOR THE INITIAL DISTRIBUTION OF SHARES AND ALLOCATION?

Red Snapper IFQ Program:

- Everyone who owned a valid red snapper license on November 22, 2006, received IFQ shares and allocation if red snapper landings were reported under their qualifying license during the qualifying time period.
 - The qualifying time period for Class 1 licenses is 1990 through 2004.
 - The qualifying time period for Class 2 licenses, and for Class 1 licenses issued on the basis of historical captain status, is 1998 through 2004.
- Those who owned a valid red snapper license on November 22, 2006, but did not have any landings reported in association with their qualifying license during the qualifying time period did not receive IFQ shares or allocation because they did not demonstrate a historical dependence on the fishery as required by the Magnuson-Stevens Act.

Grouper-Tilefish IFQ Program:

- Everyone who owned a valid or renewable commercial Gulf of Mexico reef fish permit as of October 1, 2009, and who had grouper or tilefish landings reported under their permit during the qualifying time period of 1999 through 2004 received initial IFQ shares and allocation.
- Owners of a valid or renewable commercial Gulf of Mexico reef fish permit that did not have any landings during the qualifying time period did not receive initial IFQ shares or allocation but are able to purchase shares or allocation from IFQ shareholders.

HOW WERE INITIAL IFQ SHARES DETERMINED?

Red Snapper IFQ Program:

- The red snapper IFQ share allocated to each program participant was determined by the amount of the red snapper landings reported under his or her qualifying license during a specific time period:
 - The IFQ share allocated each current owner of a Class 1 license was based on the ten consecutive years from 1990 through 2004 during which landings reported under the license were highest.
 - The IFQ share allocated each current owner of a Class 1 license issued on the basis of historical captain status was based on the seven years of landings data reported under the license from 1998 through 2004.
 - The IFQ share allocated each current owner of a Class 2 license was based on the five years from 1998 through 2004 during which landings reported under the license were highest.

Grouper-Tilefish IFQ Program:

- The initial grouper and tilefish IFQ shares distributed to each participant was determined by the average annual landings of grouper and tilefish from logbooks associated with their reef fish permit(s) during the time period 1999 through 2004, with an allowance for dropping 1 year. Dropping a year allows a participant to remove the year with the lowest landings.

- All grouper and tilefish landings associated with a valid or renewable commercial reef fish permit for the qualifying period were attributed to the permit holder as of October 1, 2009, including those reported by a person who held the permit prior to the current owner. Anyone purchasing a reef fish permit after September 30, 2009, did not receive grouper or tilefish shares associated with that permit.

HOW WERE MISIDENTIFICATION OF GAG AND BLACK GROUPEL HANDLED FOR THE GROUPEL-TILEFISH IFQ PROGRAM?

- The initial distribution of IFQ shares was based on landings adjusted for misidentification of gag and black grouper. Adjustments to landings were only made to fishing trips that reported landing gag or black grouper, but not both. For trips reporting both gag and black grouper, landings were assumed to be reported accurately and were not adjusted.
- Gag and black grouper landings for each fisherman were determined by trip and statistical area fished. Gag and black grouper landings were then adjusted for each trip using gag: black grouper landing ratios observed by dockside interviewers for each statistical area fished.
 - Adjusted gag grouper landings were used in determining gag shares.
 - Adjusted black grouper landings were used in determining Other SWG shares.
- Adjustments to gag and black grouper landings were appealable.

APPEALS

WERE FISHERS ABLE TO APPEAL THEIR INITIAL IFQ SHARES?

- Yes, items subject to appeal under the IFQ system included initial eligibility for IFQ shares based on ownership of a valid commercial reef fish permit, the accuracy of the amount of landings, correct assignment of landings to the permit owner, and correct assignment of gag versus black grouper landings. Hardship arguments were not considered.
- The RA conducted reviews, evaluations, and rendered final decisions on appeals.
- Red snapper appeals had to be filed by April 1, 2007 and Grouper-Tilefish appeals had to be filed by April 1, 2010.
- The RA determined the outcome of appeals based on NMFS logbooks.
 - Appellants were required to submit logbooks and/or other supporting documentation to support their appeal. Logbooks are available from the [Southeast Fisheries Science Center](#).
 - If logbooks were not available, the RA may have used state landings records.

WHAT EFFECT DID APPEALS HAVE ON INITIAL APPORTIONMENT OF IFQ SHARES?

- Ninety-seven percent of the IFQ shares were distributed to qualifying shareholders at the start of the programs and the remaining 3% was set-aside to settle appeals.
- The full amount held in reserve was not used to complete the appeals process and the remaining amount of the 3% set-aside after the appeals process was completed was proportionately distributed to the IFQ shareholders who initially received shares.

****Photos courtesy of Diane Peebles and Duane Raver**